



Standing Committee Summary

The Higher Education and Research Bill, 2011

- The Standing Committee on Human Resource Development submitted its 247th Report on 'The Higher Education and Research Bill, 2011' on December 13, 2012. The Chairperson was Oscar Fernandes.
- The Bill seeks to establish a new regulatory structure for higher education in order to promote autonomy and growth of the sector. The new regulatory structure consists of the National Commission for Higher Education and Research (NCHER), a General Council, a Collegium, a Board for Research Promotion and Innovation, a Higher Education Financial Services Corporation (HEFSC) and such number of Qualifications Advisory Councils in Vocational Education as specified.
- The Bill replaces the University Grants Commission (UGC), the All India Council of Technical Education (AICTE) and the National Council for Teacher Education (NCTE) with NCHER. The Committee objected to the subsuming of the three bodies into an over-arching regulator. It recommended that NCHER's role be that of a facilitator and coordinator giving directions in which higher education should be steered. The UGC, AICTE and NCTE should be allowed to function under the overall supervision of NCHER.
- Expressing concern that the ministry had not consulted state governments while drafting this Bill, the Committee recommended that state governments be given representation and say in the formulation of any policy on higher education. Also, importance should be given to local specificities while formulating any policy.
- The Committee pointed out that the main objective of the Bill was to promote autonomy of higher educational institutions for the free pursuit of knowledge. However, the Bill seeks to regulate various aspects of higher education which were till now the sole responsibility of the university. It therefore recommended that the provisions that affect the autonomy of higher educational institutions should be reviewed and modified.
- The Committee advised that universities should continue to have the power to enrol students for a new course or programme. It also pointed out that accreditation of an institution can take place only for institutions in existence for sometime.
- The Committee is of the view that medical education and research is a specialised field. Therefore, their interest would be better served if both remain together. The Committee suggested that they should be under the National Commission for Human Resources for Health Bill, 2011.
- The Committee recommended that the General Council should include a woman member, representatives from SC, ST and minorities and two members from the Lok Sabha and Rajya Sabha. It should also include representatives of a private university and distance education.
- The Committee pointed out that while the Bill proposes to include distance education under NCHER, it has not changed the mandate of the Distance Education Council (DEC). It recommended that DEC should continue to discharge its present functions but under the overall supervision of NCHER.
- The Committee recommended that the interest of the staff of UGC, AICTE and NCTE be safeguarded. The service conditions of the previous organisations should be extended to them in the new organisation.
- The Committee recommended that all members of NCHER should be full-time members.
- The central government has the power to supersede the NCHER, General Council, Board or Corporation for a maximum period of six months for specified reasons. The Committee felt that such powers were too sweeping and would not promote autonomy of institutions. It recommended that this provision be deleted.
- The Bill assigned the power to allocate funds to universities to the HEFSC. However, the Committee noted that the Bill does not include any power to inspect or withhold grants unlike UGC which had such powers.
- The Committee did not agree with the Ministry that the expenditure incurred by the proposed structure would be similar to that of UGC, AICTE and NCTE. It was of the opinion that it would require substantive funds.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.



PRS LEGISLATIVE RESEARCH

<hr/> <p>PRS</p> <p>PRS LEGISLATIVE RESEARCH</p>	<p>CENTRE FOR POLICY RESEARCH</p>
---	-----------------------------------